

March 7, 2007

RE: Bill Ruh v. Washington State Parks and Recreation Commission
Director's Review Request 06AL0073

Dear Mr. Ruh,

On October 6, 2006, I conducted a Director's review meeting at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of your position. Present at the Director's review meeting were you, George Price, Human Resource Consultant representing Parks and Recreation (P&R); your supervisor, Park Ranger 2 Jim Aggergaard; and Park Manager Jack Hartt.

Background

On January 24, 2006, you submitted a reallocation request to P&R's Human Resources Office, asking that your Park Ranger 1 position be reallocated to a Park Ranger 2. By letter dated January 31, 2006, Human Resource Consultant George Price informed you that you were properly allocated as a Park Ranger 1. After discussing your reallocation request with your supervisor and Park Managers, Mr. Price concluded that you do not independently perform journey level park ranger duties. As such, Mr. Price determined the appropriate classification for your position was at the Park Ranger 1 level.

By letter dated February 26, 2006, you requested a review of Mr. Price's decision, and the Department of Personnel received your request on March 6, 2006.

The following summarizes your perspective as well as your employer's:

Summary of Mr. Ruh's Perspective

Mr. Ruh states he has worked as a commissioned Park Ranger since March 2004. While Mr. Ruh acknowledges he has not had the opportunity to handle every situation expected at the Park Ranger 2 level, he contends he has taken the initiative to point out behaviors requiring citations. Because Mr. Ruh works in a larger park with many park rangers, he asserts that other, more experienced rangers end up taking the lead, while he assists them.

Mr. Ruh, however, asserts he has made a lot of visitor contacts and has issued a lot of attention notices, which he contends educates visitors and often results in compliance. Additionally, Mr. Ruh asserts he performs all functions related to working in the visitor center, including computer based reservations, issuing passes and permits, and collecting registrations. Mr. Ruh also states he monitors camp sites and campground parking and has performed all functions except hiring. He also asserts he works as part of a team on park construction projects that include clean up of the grounds and restrooms, repairs that include painting, electrical, carpentry, tree pruning, repairing campsites, and operating lawn mowers and tractors. Mr. Ruh agrees he has not supervised a work crew and acknowledges that most repairs have been done as a team effort. However, Mr. Ruh believes he does his best to recognize potential problems in the park and respond accordingly, assist other rangers with maintenance projects, and provide satisfactory assistance to visitors. As a result, Mr. Ruh contends he should be reallocated to the Park Ranger 2 classification.

Summary of Parks & Recreation's (P&R's) Reasoning

P&R asserts Mr. Ruh is properly allocated to the Park Ranger 1 level because the duties he performs are at a beginning level rather than a journey level. For example, P&R asserts a journey level park ranger has to work in a law enforcement capacity, fully functioning and independently assessing situations, while resolving issues through education, citation, and arrest when necessary. Additionally, P&R contends a Park Ranger 2 must follow-up with incident reports and the proper paperwork and be able to independently perform those functions without relying on other park rangers for assistance. Similarly, P&R asserts the Park Ranger 2, at the journey level, must be able to supervise a crew, perform carpentry tasks, perform plumbing tasks such as replacing water pipes, and perform some electrical and concrete work at a maintenance level that is beyond entry level. In addition to performing these tasks at a journey level, P&R contends a Park Ranger 2 must also be able to independently resolve law enforcement issues and make decisions when necessary. However, P&R asserts Mr. Ruh performs duties at an entry level and, therefore, believes his position is properly allocated to the Park Ranger 1 classification.

Director's Determination

This position review was based on the work performed for the six-month period prior to January 24, 2006.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal comments provided by both parties. Based on my review and analysis of your assigned duties and responsibilities, as indicated by your supervisors, I conclude your position is properly allocated to the Park Ranger 1 classification.

Rationale for Determination

The Park Rangers Occupational Category indicates that “[p]ositions in this series administer, operate, and maintain a state park or a park area.” The category concept describes the duties of a Park Ranger as providing interpretation of federal and state rules and regulations, including law enforcement, and providing assistance and education to park visitors. The category concept further notes, “[a]llocation to this occupational category and levels is determined by the assignment of points by the Park Management Position Allocation System.”

In reviewing the distinguishing characteristics, the Park Ranger 1 is described as “the entry level” where incumbents are assigned “progressively more complex and responsible duties.” At this level, incumbents “must successfully complete a law enforcement academy” and “may serve as a lead worker for less trained park employees, volunteers, and temporary employees.” Further, the Park Ranger 1 level is designed to provide training and experience to become a fully qualified park ranger.

At the Park Ranger 2 level, the distinguishing characteristics note that “[p]ositions at this level independently perform journey level Park ranger duties including law enforcement.” Additionally, Park Rangers at the 2 level may have one of the following assignments:

- Responsibility for the management and operation of a Class 2 State park.
- Serve as a head ranger in a Class 2 satellite park unit in an area management concept.
- Serve as principal assistant to a Park Ranger 3.
- Leads and direct one or more permanent Park Ranger 1.
- Serves as a full-time, year-round Environmental Learning Center (ELC) Manager.

In the CQ you submitted for reallocation (Exhibit E-3), you indicate that 30% of your time is spent performing maintenance duties that include the following:

- Supervising crews that perform routine maintenance and upkeep.
- New construction and planned maintenance projects on park buildings, grounds, sanitation systems, and water supply systems.
- Plumbing, painting, electrical repair, carpentry, roofing, tree pruning and felling.
- Equipment operations, including vehicle and equipment maintenance.
- Campsite, road, parking lot, and turf maintenance.
- Fire road and trail maintenance.
- Janitorial cleaning of facilities and grounds.

In addition, you state that you spend 20% of your time performing visitor and resource protection and independently performing journey level Park Ranger duties, including law enforcement. In the same paragraph you note that even while engaged in other duties, the ranger recognizes and responds to acts that threaten visitor safety and endanger park resources. You further note that you issue citations and notices of infractions, make arrests, make reports, and testify in court as a state's witness.

On page three of the CQ, your supervisor, Park Ranger 2 Jim Aggergaard disagrees with your characterization of your duties and responsibilities and writes, "employee has not achieved journey-level status." In addition, in a January 9, 2006 memo (Exhibit E-5), Mr. Aggergaard wrote, "I don't feel that he [you] performs law enforcement independently at a journey level." With regard to your maintenance duties, Mr. Aggergaard also wrote, "Bill does not perform at a journeyman level." In a January 11, 2006 memo from Deception Pass Park Manager Jack Hartt (Exhibit E-6) and an email from Region Manager Terry Doran (Exhibit E-7), each agreed with Mr. Aggergaard that you do not perform journey level work.

The Washington State Classification and Pay Administrative Guide defines Level 2 work as the "journey, working, or fully qualified level" and notes "employees are able to independently perform work assigned . . ." Working at the journey level is a distinguishing characteristic for positions allocated to the Park Ranger 2 classification. While you are a commissioned law enforcement Park Ranger, successful completion of a law enforcement academy is a distinguishing characteristic of the Park Ranger 1 classification.

During the Director's review meeting, you acknowledged that you mainly assist other Park Rangers but do your best to recognize and respond to potential problems and take the initiative to point out behaviors requiring citations and educate visitors on park rules. You also said you work as a team member on construction and maintenance projects and spend time in the visitor center. Your CQ further indicates that 20% of your time is spent performing administrative duties such as issuing park passes and permits, collecting registrations for campgrounds, moorage, parking, and trailer dump fees, and using the computer based reservation system.

Based on your comments at the Director's review meeting, I have no doubt you are sincerely working toward gaining journey level status, and it is clear your supervisors appreciate your efforts. For example, in Mr. Hartt's January 11, 2006 memo, he wrote, "I have always appreciated Ranger Ruh's kind spirit and warm-hearted approach to all people, staff and park visitors alike. He expresses a willingness to help in whatever way he can." Mr. Hartt also indicated you had made progress in several areas.

I realize this has been a lengthy process, and if you believe the level of your assigned duties and responsibilities have changed, you may request a review of your current duties and responsibilities in accordance with the Parks and Recreation Commission's

reallocation procedure. However, based on the level of duties performed and the related responsibilities in January 2006, your position is properly allocated to the Park Ranger 1 classification.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board (board) by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor
Legal Affairs Division

c: George Price, P&R
Lisa Skriletz, DOP

Enclosure: List of Exhibits